



# School Leader Update

Iowa Department of Education

July 2009

Resources for Iowa School Leaders

## FROM THE DIRECTOR

One week ago today, the Aplington-Parkersburg School District suffered the deep loss of one of its beloved members. My deepest sympathies continue to go to the Aplington-Parkersburg School District community on the death of Coach Thomas.

This is a school district that has suffered much in the last several months with the loss of its high school due to a tornado last spring and now the loss of a beloved teacher, coach, and mentor.

While no school district should have to endure a crisis incident, we know that violence can reach our doorsteps and Mother Nature is able to cause catastrophic damage.

I want to make sure you are aware of some resources the Iowa Department of Education and its partners have available to school districts.

- *Iowa Department of Education Safe Schools Webpage:* This Webpage provides a wide range of information that can help school leaders plan for possible crisis situations, including natural disasters and violent incidents. Please visit [www.iowa.gov/educate/index.php?option=com\\_content&task=view&id=769&Itemid=1298](http://www.iowa.gov/educate/index.php?option=com_content&task=view&id=769&Itemid=1298) to access this information.
- *Iowa's Area Education Agencies Crisis Counseling & Support:* Iowa's area education agencies (AEAs) have staff members specifically trained in crisis counseling and support. A "crisis team" typically consisting of trained school psychologists and social workers can be dispatched to a local school district community within minutes after crisis strikes. In addition, trained communication professionals are available in most AEAs to assist with news media relations and other aspects of crisis communication support. For more information, contact the chief administrator of your local AEA ([www.iowaaea.org/vnews/display.v/ART/49525a79b9752](http://www.iowaaea.org/vnews/display.v/ART/49525a79b9752)).
- *Lessons Learned: Natural Disasters Toolkit for Schools:* The toolkit created by the Iowa Association of School Board's is a compilation of advice from Iowa school districts and board members and other experts around the country. To access the toolkit, please visit IASB's Website at [www.iasb.org/Spotlight.aspx?id=7188](http://www.iasb.org/Spotlight.aspx?id=7188).
- *Disaster Behavioral Health Response Team:* A statewide team that responds to disasters and critical incidents upon invitation to supplement local, county, and state efforts. To access the team call the Homeland Security and Emergency Management Duty Officer. The Duty Officer is available 24 hours a day, seven days a week and may be reached at 515-725-3231. The team can: conduct behavioral health needs assessment following disaster or incident; provide Psychological First Aid; provide brief crisis counseling and intervention; provide community outreach; provide public information and education; provide critical incident stress services; provide behavioral health consultation for providers, communities, and others; and provide screening and referral for those affected by a disaster or critical event. Questions can be directed to Karen Hyatt at 515-281-3128 or [khyatt@dhs.state.ia.us](mailto:khyatt@dhs.state.ia.us).
- *Project Recovery Iowa:* Provides crisis counseling outreach, support groups, education and referral, assessment and public education to those affected by the disaster events of 2008. To access more information about Project Recovery Iowa or to request counseling, call the Iowa Concern Hotline 800-447-1985 or visit [www.projectrecoveryiowa.com](http://www.projectrecoveryiowa.com).
- *Ticket to Hope:* A program providing free counseling for Iowans impacted by the 2008 disasters. The program provides up to eight authorized 45-50 minute sessions with an approved mental health provider. No cost to the individual or family for these authorized sessions. Individuals can choose a mental health provider from a list of providers who have agreed to participate or they can request that a

provider become a participating provider. Call the Iowa Concern Hotline at 800-447-1985 for 24-hours assistance.

- *U.S. Department of Education:* This Website provides school leaders with information needed to plan for any emergency, including natural disasters, violent incidents, and terrorist acts for schools and communities. <http://www.ed.gov/admins/lead/safety/emergencyplan/index.html>

This is by no means an exhaustive list of resources available. However, it may help in your efforts to plan for and respond to crisis situations.

*Judy Jeffrey, Director*

## NEWS FROM THE DE

### **Follow the Iowa Department of Education on Facebook, Twitter, and YouTube**

The Iowa Department of Education (DE) is pleased to announce that it is now on Twitter, Facebook, and YouTube.

Get the latest announcements, learn about programs, or get real-time comments from Iowa Department of Education Director Judy Jeffrey as she speaks to education audiences across the state.

Go to [www.iowa.gov/educate](http://www.iowa.gov/educate) and look for the Facebook, Twitter, and YouTube icons on the bottom right-hand side of the homepage to learn more and sign up.

### **Healthy Kids Act Guidance Process Continues**

The Iowa Department of Education (DE) is continuing to coordinate the process to provide Iowa schools with guidance regarding the Healthy Kids Act.

The Healthy Kids Act was established on May 13, 2008 when Governor Chet Culver signed into law Senate File 2425. This amended Iowa Code Section 256.7, Code Supplement 2007, new Subsection 29; Section 256.9, Sections 57 and 58; Section 256.11, Subsection 6, Code Supplement 2007; and Section 273.2, Code 2007, new Subsection 7.

Rules providing guidance on the Healthy Kids Act will be included in two sections of Iowa Administrative Code — Chapter 12 and Chapter 58. The State Board of Education gave public notice on December 11, 2008 of its intent to amend these chapters. The rules, including the nutrition tables, were adopted as final rules by the State Board on April 30.

The next step in the process was an assessment by the Iowa General Assembly's Administrative Rules Review Committee, which took place on June 9. The Rules Review Committee recommended that the Education Committees of the House and Senate *may* review the rules. This does not mean that a review will automatically occur and the implementation dates have not changed.

The nutrition rules take effect July 1, 2010. The CPR requirement is effective with the class of 2012 and the physical activity rules are effective 2009-2010 school year.

For more information on the Healthy Kids Act, please visit

[http://www.iowa.gov/educate/index.php?option=com\\_content&view=article&id=1769&catid=838&Itemid=2545](http://www.iowa.gov/educate/index.php?option=com_content&view=article&id=1769&catid=838&Itemid=2545)

### **Medicaid Reimbursement for IEP Services**

School administrators seeking Medicaid reimbursement for Individualized Education Program (IEP) services should know that the new Medicaid cost rates for fiscal year 2009-2010 are to be used for Medicaid claims with dates of service on or after July 1, 2009. The rates should be available in the near future and will be available online at the Iowa Department of Education Website. For more information or if you have questions, contact Jim Donoghue at 515-281-8505 or [jim.donoghue@iowa.gov](mailto:jim.donoghue@iowa.gov)

### **Iowa Speech-Language Pathology Distance Learning Opportunity**

The Iowa Department of Education (DE) recruitment initiative to increase the number of graduate school speech-language pathologist (SLP) students in Iowa through distance learning opportunities is offering the third online SLP undergraduate pre-professional bridge course. These online learning opportunities are aimed at recruiting university students and other professionals into the field of speech-language pathology. Courses are required in order to apply to one of the three Iowa universities offering a speech-language pathology graduate program. Interested students can enroll by:

- Completing the University of Northern Iowa online enrollment form at:  
[https://access.uni.edu/cgi-bin/cont\\_ed/ce\\_enroll.cgi](https://access.uni.edu/cgi-bin/cont_ed/ce_enroll.cgi)
- Register for course 51c:111 Phonetics in Communicative Disorders with Dr. Lauren Nelson

- Students can indicate "online" for class location. Dates will be August 24 - December 14

Students should enroll as soon as possible. Confirmation will be sent including textbook information and instructions about how to log into the course. For more information, contact Frank Forcucci at 515-281-3527 or [frank.forcucci@iowa.gov](mailto:frank.forcucci@iowa.gov).

### **Can Iowa Special Education Teacher Attrition be Curbed?**

Iowa administrators may hold the key to stemming the high attrition rate of special educators, a profession that has long suffered from acute shortages, according to preliminary data from two studies coordinated by the Iowa Department of Education (DE).

Results from a seven-year study of Iowa special education teacher retention rates indicate that approximately 15 percent of Iowa special education teachers leave special education teaching annually. The study, commissioned by the DE and implemented by the Psychology in Education Research Lab at Iowa State University, tracked file folder numbers of special education teachers to determine if they stayed in special education, moved to general education or left the field entirely.

A companion study surveyed approximately 270 "stayers" and "movers" to determine factors that led to their decisions to remain in or leave their positions. The study's results indicate that a primary retention factor for both groups is linked to administrator support. For more information regarding the studies, contact Norma Lynch at 515-281-6038 or [norma.lynch@iowa.gov](mailto:norma.lynch@iowa.gov).

### **Teacher Job Site Redesign**

Teach Iowa, the teacher recruitment Website sponsored by the Iowa Department of Education (DE), will undergo redesign and technological updates in mid-July. The Teach Iowa Website is located at [www.iowaeducationjobs.com](http://www.iowaeducationjobs.com) and is free both to school districts seeking candidates and to educators looking for Iowa positions. Website job categories will be expanded to include specific teaching and administrative assignments as well as area education agency positions, classified job opportunities, and other openings. The technology updates will assist the DE in collecting data on job openings, job placements, candidate availability, and other related recruitment issues.

During the Website conversion in mid-July, users may experience intermittent interruptions that will last only one or two hours. The DE welcomes feedback from school districts and candidates as they utilize features in the new design. For more information or to offer input regarding *Teach Iowa*, contact Norma Lynch at 515-281-6038 or [norma.lynch@iowa.gov](mailto:norma.lynch@iowa.gov).

## **SCHOOL IMPROVEMENT**

### **Iowa Core Curriculum Leadership Teams**

Leadership Teams are very motivated to undertake the important work of implementing the Iowa Core Curriculum. Before extensive improvement efforts are launched, it is critical that Leadership Team members take time to carefully determine what actions are needed. During the first semester of next year, Leadership Teams should focus their efforts to design and implement the Iowa Core Curriculum by:

- Engaging all teachers in thoroughly exploring the Essential Concepts and Skills
- Gathering and analyzing data to complete the Iowa Core Curriculum Self Study
- Participating in thoughtful dialogue and planning for all six outcomes of the Implementation Plan
- Informing all teachers and administrators about the implementation planning process
- Developing and sharing the district's vision about the Core with community members
- Supporting existing professional development that focuses on student learning
- Ensuring that teachers have the time to learn and apply the priority professional development

During the second semester Leadership Teams should work on:

- Orienting staff to alignment processes (The Iowa Core Curriculum Network will be leading this work.)
- Gathering information regarding alignment data and working with the necessary tools
- Planning how to improve alignment based on analysis of data collected through this process

For more information or questions please contact Rita Martens at 515-281-3145 or [rita.martens@iowa.gov](mailto:rita.martens@iowa.gov).

## LEGISLATIVE UPDATES

The contact for all Legislative Update items is Konni Cawiezell, [konni.cawiezell@iowa.gov](mailto:konni.cawiezell@iowa.gov) or 515-281-3399.

### 2009 Legislative Session Wrap-up

The 2009 legislative session concluded on Sunday, April 26. The state budget was a major focus, including funding for education. In addition, there were several bills passed that addressed education policy issues. For a summary of education-related bills passed this session, please see the attached document, "2009 Legislative Changes."

## LEGAL LESSONS

The contact for all Legal Lessons items is Carol Greta, [carol.greta@iowa.gov](mailto:carol.greta@iowa.gov) or 515-281-8661.

### Clarification on Work Permits

The Iowa Department of Education has been asked by the Iowa Workforce Development (IWD) agency to clarify an item on work permits from last month. We noted that Iowa Code section 92.11 ("A work permit ... shall be issued only by the superintendent of schools or department of workforce development ... ) authorizes school superintendents to issue work permits. Certainly a superintendent may issue work permits. The statute does indeed impose a duty on the superintendent to issue the work permit upon proper proof of age of the student.

### U.S. Supreme Court Decision on IDEA

The Supreme Court of the United States recently issued a decision in *Forest Grove School District v. T.A.* The Court held that a parent of a child with a disability may seek tuition reimbursement for a private school placement even if the child had never received special education from a public school. This decision makes a minor clarification to current law.

Current law is that parents may seek reimbursement for private school tuition if they prove (1) the Individualized Education Program (IEP) and placement offered by the public school was inappropriate and (2) the private school placement was appropriate. After the *Forest Grove School District v. T.A.* decision, parents need not try the allegedly inappropriate public school IEP and placement before seeking tuition reimbursement, but must still show that the district was not offering a FAPE, free appropriate public education. The core of the IDEA's (Individuals with Disabilities Education Act) tuition reimbursement analysis remains undisturbed. The Iowa Department of Education expects this decision to have a minor impact in Iowa. You may read it at the following link: <http://www.supremecourtus.gov/opinions/08pdf/08-305.pdf> . If you have any questions, please contact Thomas Mayes at 515-242-5614 or [thomas.mayes@iowa.gov](mailto:thomas.mayes@iowa.gov).

### Changes to Sex Offender Law

See last month's *School Leaders Update* for a more comprehensive discussion of several changes made to the law governing sex offenders. But note that as of July 1, 2009, a person convicted of a sex offense against a minor is prohibited from being present on school property (public and nonpublic) without written permission of the school administrator or administrator's designee, unless enrolled as a student at the school. This means that, for instance, the parent of a member of a school softball or baseball team may not be at school to watch the student play ball without written permission of you or your designee.

A school administrator who becomes aware that an offender whose conviction involved a sex offense against a minor is on school property without proper permission may quietly ask the person to leave or may call local law enforcement. (School administrators may use their best judgment, keeping in mind that if the offender is there to watch his/her child, avoiding embarrassment to the child becomes a factor.)

### Change to Laws on Education of Children in Foster Care

A federal law enacted last October requires each state to assure that children placed in foster care remain in their school of origin unless staying enrolled in that school is not in the best interests of the child. If remaining in the school of origin is not in the child's best interests, the state must take action to ensure that the child is provided immediate and appropriate enrollment in a new school, with all of the educational records of the child provided to that school.

To that end, the Iowa Legislature passed Senate File 152, which requires Department of Human Services to confer with school officials, but also requires education records of a child in foster care to be transferred to any new school within five school days after the school of original receives notice that the child will be transferring.

This, and more, are discussed in detail in an updated guidance document regarding the education of children in foster care at

[http://www.iowa.gov/educate/index.php?option=com\\_content&view=article&id=1475:fostercare&catid=58:diverse-learners&Itemid=2508](http://www.iowa.gov/educate/index.php?option=com_content&view=article&id=1475:fostercare&catid=58:diverse-learners&Itemid=2508)

### **U.S. Supreme Court Decision on Strip Search in School**

On June 25, the U.S. Supreme Court released its decision in a case from Arizona regarding the following two issues:

- (1) Did the search of a middle school girl's underwear for illegal pills violate her 4<sup>th</sup> Amendment right against an unreasonable search?
- (2) Were the school employees involved in the search entitled to qualified immunity?

Regarding the first issue, all but one justice (Justice Thomas) agreed that the search was a strip search and was clearly unreasonable. The student was told to strip down to her undergarments and then told to pull those garments away from her body (to see if pills would fall out). This took place in the office of the school nurse (female) in the presence of the nurse and another female school employee. Nevertheless, the Court quickly agreed that this was unconstitutional.

NOTE: Under Iowa Code chapter 808A (Student Searches), strip searches of students by school employees are automatically illegal. This part of the case is not directly relevant to the Iowa school administrator, but read on...

The Court said that the law regarding student searches in Arizona and other states in which there is no state law such as Iowa's chapter 808A is not sufficiently clear so as to deprive the school employees (an assistant principal who ordered the search and the two female employees who actually conducted the search) of qualified immunity. In other words, they were granted immunity from the student's lawsuit. ***This is not likely to be the result in Iowa.*** Chapter 808A is unambiguous in its prohibition of strip searches. A violation thus would likely subject a school official to liability to the student for such search.

The full decision is available online at

<http://caselaw.lp.findlaw.com/scripts/getcase.pl?court=US&vol=000&invol=08-479>.

### **Change to Child Abuse (Mandatory Reporter) Law**

Mandatory reporters of child abuse need to be aware that a change was made to one of the definitions of reportable child abuse. Prior to July 1, 2009, it was reportable child abuse for a parent or guardian to include a sex offender in the parent/guardian's household with a child. The definition was changed so that cohabitation is not child abuse, but allowing a sex offender to have unsupervised access to a child is reportable to Department of Human Services.

- Example: Susie's mother lives with a guy ("Joe") who is a sex offender. Susie's mom is not married to Joe. If Susie's mom leaves Susie in Joe's care with no supervision, this is reportable child abuse.

### **May a Parent who Withdraws a Child from IDEA Services demand Section 504 Services?**

Recent amendments to the federal Individuals with Disabilities Education Act (IDEA) regulations allow parents to unilaterally withdraw their children with disabilities from special education. There have been questions about whether those parents may demand Section 504 services for their children. Relying on federal guidance, the Iowa Department of Education advises area and local education agencies that parents may not demand 504 Plans after withdrawing their children from IDEA services. The full guidance document is at the following link

[http://www.iowa.gov/educate/index.php?option=com\\_content&view=article&id=1796%3Awithdrawal-from-special-education-and-section-504&catid=674%3Astate-guidance&Itemid=1](http://www.iowa.gov/educate/index.php?option=com_content&view=article&id=1796%3Awithdrawal-from-special-education-and-section-504&catid=674%3Astate-guidance&Itemid=1)

For more information, please contact Corwyn Moore at 515-281-3010 or [corwyn.moore@iowa.gov](mailto:corwyn.moore@iowa.gov).

### **Issuing Municipal Bonds? Get to Know EMMA**

Beginning July 1, 2009, school districts (and other public bodies) that issue municipal bonds must electronically file disclosure documents, including annual financial statements and material event notices in PDF format on the Electronic Municipal Market Access (EMMA) Website. Effective January 1, 2010, the filings must be in "word searchable" PDF format. The EMMA Website, which is part of the federal Securities and Exchange Commission, is <http://emma.msrb.org>. There is no cost associated with the filing, but filing is *mandatory*.



School administrators of districts that either have outstanding bond offerings underwritten before July 1, 2009, or that will issue municipal bonds after that date are strongly urged to contact their district's bond counsel for assistance.

### **Simplified Legal Standard for Premises Liability**

On June 5, 2009, the Iowa Supreme Court tossed out the old analysis of premises liability that required courts to first determine whether the injured party was an invitee or licensee of the owner or occupier of the property. The Court has simplified the issue, imposing the duty to exercise reasonable care in the maintenance of their premises for the protection of all lawful visitors. The factors that are to be considered in evaluating whether a landowner or occupier has exercised reasonable care for the protection of lawful visitors are as follows:

1. The foreseeability or possibility of harm;
2. The purpose for which the entrant entered the premises;
3. The time, manner, and circumstances under which the entrant entered the premises;
4. The use to which the premises are put or are expected to be put;
5. The reasonableness of the inspection, repair, or warning;
6. The opportunity and ease of repair or correction or giving of the warning; and
7. The burden on the land occupier and/or community in terms of inconvenience or cost in providing adequate protection.

This case presents a good opportunity to remind school administrators to care for school property, including athletic fields, in such a way so as not to enhance anyone's risk of injury. The link to the full decision [*Koenig v. Koenig* is [http://www.iowacourts.gov/Supreme\\_Court/Recent\\_Opinions/20090605/07-1586.pdf](http://www.iowacourts.gov/Supreme_Court/Recent_Opinions/20090605/07-1586.pdf).

*The remainder of this month's Legal Lessons has a theme, "Cautionary Tales for the School Administrator." All of the incidents are real, some occurred in other states, and not all are of recent vintage. The commonality is there are lessons to be learned from all of the following.*

### **Special Education Records Destroyed without Proper Notice**

A school district was publicly embarrassed by a finding that it violated the Individuals with Disabilities Education Act (IDEA) in three ways:

1. The district did not provide proper notice to parents of IDEA-eligible students before destroying special education records. When it comes time to destroy special education records, 34 C.F.R. 300.624 of IDEA regulations requires the following:
  - a. "The public agency must inform parents when personally identifiable information ... is no longer needed to provide educational services to the child."
  - b. "The information must be destroyed at the request of the parents. However, a permanent record of the student's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation."
2. The district did not provide adequate training in confidentiality requirements to adult volunteers who assisted in the records destruction. Verbal admonitions to adult volunteers to not divulge information are insufficient.
3. The district used minor students to help in handling confidential records of their fellow students. There are no circumstances in which it is ever acceptable for minor students to handle confidential records of other students.

These are self-explanatory problems, and should be easily avoided by other school districts.

### **MySpace© Misdeeds**

The question posed to a court here is whether a person who posts an article on MySpace.com can then bring suit for invasion of privacy and intentional infliction of emotional distress against a second person who submitted the article to a newspaper for re-publication.

A young lady who graduated from high school a couple of years ago wrote an article in which she expressed extremely negative *opinions* (nothing libelous) about her hometown and its citizens. She posted the article on her MySpace page, which included her photograph but not her full name. Her former principal submitted the article to the local newspaper, which published it in the Letters to the Editor section, attributing the article to the former student, using her full name. The community reacted violently. The student and her family received

death threats, a shot was fired at the family home, the father closed the 20-year-old family business, and the family moved out of town.

The student and her family — which includes a younger sister who was still in high school — sued the high school principal for invasion of privacy and intentional infliction of emotional distress.

Regarding the invasion of privacy claim, the court said that publishing the article on MySpace.com removes it from any claim that it is “private.” No reasonable person would have had an expectation of privacy regarding the article, and the student’s identity was readily ascertainable from her MySpace page. This claim was dismissed by the court.

However, the principal has to face a jury on the claim that he intended to cause the student and her family emotional distress when he submitted the article to the newspaper. The family contends — and the jury could find this key — that the principal’s conduct was extreme and outrageous especially in light of his position as principal of the younger girl still in high school.

There was no shortage of bad behavior in this case. This case illustrates that when there needs to be an adult in the room, it is always preferable that the school administrator be that adult.

### **Coach’s Posting of GPAs Violated FERPA**

Students’ grades, including their grade point averages (GPAs), are confidential, so when a (now former) volleyball coach posted players’ GPAs outside the gym for public viewing, this was a Family Educational Rights and Privacy Act (FERPA) violation. The school district reacted immediately and appropriately by removing the grades from public display. The district also put into place practices to ensure a system-wide understanding of the regulations governing confidentiality of information.

For those school administrators who are thinking now about the publication at commencement of the lists of graduating seniors who are graduating with varying degrees of academic honors tied to GPAs, these lists are covered by the exception in FERPA that allows disclosure of “honors and awards.”

## **GRANTS AND FUNDING**

### **SBRC and Education Excellence Phase I Information**

Districts have been asking for guidance related to making requests to the School Budget Review Committee (SBRC) for modified allowable growth due to the legislature choosing to eliminate the Educational Excellence program.

Iowa Code 257.31(5)"e" allows the SBRC to consider modified allowable growth when a district [or area education agency (AEA)] has unusual circumstances, creating an unusual need for additional funds [budget authority in this case], due to a substantial reduction in miscellaneous income.

Educational Excellence Phase I is miscellaneous income. It may be possible for a district or AEA, on a district-by-district basis, to approach the SBRC for modified allowable growth if the reduction is substantial and if the circumstances and need are unusual. The district will make a request on-line for a hearing before the SBRC as usual and will provide exhibits by the due date supporting its request for modified allowable growth. These exhibits should be individual to the district or AEA; limited to five pages including a cover page; and should include information that establishes the need for additional budget authority, how the need is unusual, and what long-term plan the district or AEA has implemented to address its financial situation without additional requests for modified allowable growth.

The requests to the SBRC will be postponed until the December 2009 or March 2010 meeting of the SBRC. The SBRC has discussed the issue at its last meeting without coming to any clear resolution. Clearly some legislation is unanticipated, so simply the passage of such legislation may not constitute an unusual circumstance. In the past, legislation has specifically directed the SBRC to act; this legislation does not. The December or March date gives districts sufficient time to determine if they will use the freed up state and local dollars possible due to the American Recovery and Reinvestment Act’s Individuals with Disabilities Education Act (IDEA) provisions, will reduce the salary schedule, or will replace the reduction in the salary schedule with the district’s unexpended, non-categorical fund balance dollars. The first two choices would not be eligible for a request to the SBRC for modified allowable growth.

Questions regarding exhibits may be addressed to Su McCurdy at [su.mccurdy@iowa.gov](mailto:su.mccurdy@iowa.gov).

### **School Construction Bond Programs**

The Iowa Department of Education (DE) is pleased to announce two school construction bond programs for school modernization, through the American Recovery and Reinvestment Act of 2009. The authorizations provide federal subsidies for public school improvement and modernization activities. The U.S. Department of Education encourages school districts to design energy-efficient school facilities that meet widely recognized rating systems for green buildings and facilities to serve as centers in communities that are available for non-school purposes outside of regular school hours.

- **Qualified School Construction Bonds (QSCB)**

State and local governments may issue up to \$22 billion in Qualified School Construction Bonds (QSCB) (\$11 billion in 2009 and \$11 billion in 2010), a new type of tax credit bond for "the construction, rehabilitation, or repair of a public school facility, or for the acquisition of land on which such a facility is to be constructed." For 2009, the State of Iowa was issued \$64,252,000 in QSCB bonding allocations through the American Recovery and Reinvestment Act (ARRA). School districts may begin submittal of QSCB applications on July 15, 2009. Applications are available on the Iowa Department of Education Website:

[http://www.iowa.gov/educate/index.php?option=com\\_content&view=article&id=1787%3Aqualified-school-construction-bonds-qscb&catid=66%3Aschool-facilities&Itemid=1](http://www.iowa.gov/educate/index.php?option=com_content&view=article&id=1787%3Aqualified-school-construction-bonds-qscb&catid=66%3Aschool-facilities&Itemid=1).

- **Qualified Zone Academy Bonds (QZABs)**

Funding for the existing Qualified Zone Academy Bonds (QZAB) program for schools has increased to \$2.8 billion (\$1.4 billion in 2009 and 1.4 billion in 2010). For 2008, Iowa was issued \$3,182,000 in QZAB allocations and \$11,139,000 for 2009. QZABs must be used for rehabilitating or repairing public school facilities, and investing in new equipment and technology. QZABs may not be used for new construction. Application period is open for the QZAB program. Applications are available on the DE Website:

[http://www.iowa.gov/educate/index.php?option=com\\_content&view=article&id=144&Itemid=1350](http://www.iowa.gov/educate/index.php?option=com_content&view=article&id=144&Itemid=1350).

These tax credit programs sharply reduce school borrowing costs by providing tax credit to bond holders in lieu of interest. School districts get interest-free loans and only pay back the principal. On a large project, savings typically can be 50 percent. School districts may use the Voter Approved Physical Plant and Equipment Levy (VPPEL) and/or the Local Option/Statewide Sales and Services Tax for School Infrastructure to repay the principal. See the National Clearinghouse for Educational Facilities (NCEF) resource list ([http://www.ncef.org/rl/tax\\_credit\\_bonds.cfm](http://www.ncef.org/rl/tax_credit_bonds.cfm)) for more information.

If you have any questions, please contact Gary Schwartz at 515-281-4743 or [gary.schwartz@iowa.gov](mailto:gary.schwartz@iowa.gov)

## DATA AND REPORTING

### Electronic Adequate Yearly Progress Reporting Site Available for Data Entry

The 2008-2009 Electronic Adequate Yearly Progress (AYP) Reporting site for public school districts is available for entering data. This site may be accessed at <https://www.edinfo.state.ia.us/> and by entering the district's Basic Education Data System (BEDS) password and ID.

The AYP timelines are as follows:

- May 18 - June 30: Preliminary Certification Period
- July 1 - July 8: Final Certification (*Districts that do not certify will be certified on July 8*)
- July 13: District and school AYP status notifications will be sent to superintendents.

A video presentation on entering AYP data may be viewed at

[http://www.iowa.gov/educate/index.php?option=com\\_content&task=view&id=1461&Itemid=1](http://www.iowa.gov/educate/index.php?option=com_content&task=view&id=1461&Itemid=1)

If questions arise during data entry, please contact Paul Cahill (515-281-3944 or [paul.cahill@iowa.gov](mailto:paul.cahill@iowa.gov)), Tom Deeter (515-242-6025 or [tom.deeter@iowa.gov](mailto:tom.deeter@iowa.gov)), or Mary Linnenbrink (515-725-2107 or [mary.linnenbrink@iowa.gov](mailto:mary.linnenbrink@iowa.gov)).

### Newly Revised School District Financial Report Card is Available

Iowa Code requires school districts to give transparency to financial operations by publicly providing information on employment, enrollment, taxes, and budget items in a Financial Report Card. The Iowa Department of Education (DE), Iowa Department of Management (DOM), and Grant Wood Area Education Agency 10 (GWAEA) have collaborated on a new and improved Website to assist districts in this effort. The newly revised School District Financial Report Card will be hosted by GWAEA.



On the new GWAEA site, information on districts from state records, plus new data items will be available to increase transparency for the public. First, the School District Financial Report Card will be part of the GWAEA Annual Statistical Report, a software application that allows comparison of districts on certain select characteristics. The site has added features to define variables and to link to other non-fiscal educational data of public interest. Second, detailed health insurance and health benefits for teachers and administrators will be added at a later date. The collaborating agencies will add another partner, the Public Employment Relations Board (PERB) to the effort. PERB has undertaken an initiation to build a statewide database and this information will be linked to the GWAEA site when the database is complete. Although these data will not be in the initial release now, they are expected to be linked by the Fall of 2009.

Districts and their publics can navigate to the site directly:

<http://www.aea10.k12.ia.us/cfapps/asr/financereport.cfm> or they can click the link from the DE's Website: [http://www.iowa.gov/educate/index.php?option=com\\_content&task=view&id=1622&Itemid=2414](http://www.iowa.gov/educate/index.php?option=com_content&task=view&id=1622&Itemid=2414)

For more information or questions, please contact Jim Addy at 515-281-5293 or [jim.addy@iowa.gov](mailto:jim.addy@iowa.gov).

## STUDENT HEALTH AND NUTRITION

### Youth in Action for a Healthy Iowa Symposiums

This spring, the Iowa Department of Education's (DE) Team Nutrition program and the State of Iowa Youth Advisory Council (SIYAC) sponsored four "Youth in Action for a Healthy Iowa" symposiums in Cedar Rapids, Alta, Davenport, and Creston. Students and adult advisors attended, representing 39 schools from across the state. Polling and discussion questions were selected by SIYAC members and took place during each of the symposiums. Participants identified problems and solutions for how to support their healthy school environments. The teams developed action plans to take back to their schools and had the opportunity to apply for a \$500 mini-grant. The full report of the symposiums will soon be posted to the Team Nutrition section of the DE Website at: [http://www.iowa.gov/educate/index.php?option=com\\_content&task=view&id=373&Itemid=1332](http://www.iowa.gov/educate/index.php?option=com_content&task=view&id=373&Itemid=1332)

For more information please contact Carrie Scheidel (515-281-4758 or [carrie.scheidel@iowa.gov](mailto:carrie.scheidel@iowa.gov)) or Patti Delger (515-281-5676 or [patti.delger@iowa.gov](mailto:patti.delger@iowa.gov)).

### Regional Chef Team Nutrition Workshops — A Culinary Approach to School Wellness

Seventy-five school district nutrition personnel attended Team Nutrition Chef Workshops held at four locations throughout Iowa, during the month of May. The Iowa Department of Education partnered with Iowa State University Extension and the American Culinary Federation of Iowa to "culinize" school meals. The goal was to make school meals more visually appealing to the students, to reduce the fat and sodium, and to increase the amounts of whole grains, fresh fruits, and vegetables. Chefs provided their expertise on ways to jazz up the plate. Attendees discussed ways to better merchandise the meals and market the child nutrition program.

Participants commented that the most useful part of their workshop experience was "learning how to improve the positive image of our food service operation," "the uses of different commodities," "more ideas for healthy menus," and "hands-on cooking." Several indicated their intention to apply for U.S. Department of Agriculture's HealthierUS School Challenge award for nutrition excellence. The application is located at <http://teamnutrition.usda.gov/HealthierUS/index.html>. For more information, Contact Carrie Scheidel at (515-281-4758 or [carrie.scheidel@iowa.gov](mailto:carrie.scheidel@iowa.gov)) or Patti Delger at (515-281-5676 or [patti.delger@iowa.gov](mailto:patti.delger@iowa.gov)).

### Food Service School Year Preparation for 2009-2010

#### *Applications for Free and Reduced Price Meal Benefits*

The 2009-2010 Iowa Eligibility Application, instructions, and more were sent to School Food Authorities (SFAs) in an early June memo from the Iowa Department of Education. This information is also posted on line and made available in the form download section of Child Nutrition Program (CNP) 2000. As you prepare for next year, remember:

- Applications and parent letters may not be distributed by SFAs more than four weeks prior to the start of school. The earliest date to accept and process applications is July 1, 2009, for the 2009-2010 school year.
- SFAs must provide a copy of the application and parent letter to every household. More options are available to SFAs, for email or Web-based distribution.

Check the U.S. Department of Agriculture Eligibility Manual at [http://www.fns.usda.gov/cnd/Guidance/eligibility\\_guidance.pdf](http://www.fns.usda.gov/cnd/Guidance/eligibility_guidance.pdf).

### *hawk-i information*

The process for collecting the names of households interested in receiving information about the Healthy and Well Kids in Iowa (hawk-i) program will be streamlined for school year 2009-2010. The Website will be open at the beginning of school year and steps are being taken to enable many local education agencies to download the data from their student information systems or school meals point of sale systems. Further information will be included in a memo and will be discussed at training.

### *Training for Iowa Eligibility Application Processing*

Mark your calendars for training for Iowa Eligibility Application processing. The dates are:

- July 21 from 1:00 - 4:00 p.m.
- July 30 from 9:00 a.m. - 12:00 noon
- August 4 from 9:00 a.m. - 12:00 noon.

The locations have not yet been selected but will be posted at

[http://www.iowa.gov/educate/index.php?option=com\\_content&view=category&id=442&Itemid=866](http://www.iowa.gov/educate/index.php?option=com_content&view=category&id=442&Itemid=866). For questions contact Nancy Christensen at 515-281-5663 or [nancy.christensen@iowa.gov](mailto:nancy.christensen@iowa.gov) or your area consultant.

## **EARLY CHILDHOOD PRESCHOOL PROGRAMS**

### **New Statewide Voluntary Preschool Program for Four-Year-Old Children Announced**

Governor Chet Culver announced the 53 school districts in Iowa receiving state funds for the Statewide Voluntary Preschool Program for Four-Year-Old Children. An estimated 3,247 additional four-year-olds will be supported by this grant funding for the 2009-2010 school year.

The selected districts include: Alden, Algona, Allamakee, Atlantic, Bellevue, Boone, Cardinal, Central Clinton, Clayton Ridge, Clear Lake, College, Corning, Dows, Eldora-New Providence, Graettinger, Terril (Consortium), Guthrie Center, Hampton-Dumont, Hartley-Melvin-Sanborn, Humboldt, Independence, Indianola, Jefferson-Scranton, East Greene, Paton-Churdan (Consortium), Johnston, Lone Tree, Lynnvile-Sully, Malvern, Manning, Maquoketa, Marion Independent, Missouri Valley, Mormon Trail, Moulton-Udell, Nashua-Plainfield, Newell-Fonda, North Kossuth, Norwalk, Preston, Red Oak, Stanton (Consortium), South Tama, South Winneshiek, Southern Cal, Tri-County, Villisca, Vinton-Shellsburg, WACO, West Harrison, West Sioux, Western Dubuque, and Winfield-Mt. Union.

The dates and locations for required orientation of the 2009-2010 newly awarded Statewide Voluntary Preschool Program districts (listed above) are as follows:

- July 16 - Jessie Parker Building in Des Moines, 9:00-3:00 p.m.
- August 4 - Prairie Lakes AEA 8, Pocahontas office, 9:00-3:00 p.m.
- August 6 - Keystone AEA 1, Dubuque office, 9:00-3:00 p.m.

Additional information will be sent via email to district superintendents. The orientation is for districts awarded funding for 2009-2010 only. For questions and more information please contact LauraBelle Sherman-Proehl at 515-242-6018 or [laurabelle.sherman-proehl@iowa.gov](mailto:laurabelle.sherman-proehl@iowa.gov).

## **CALENDAR**

### **Deadlines and Dates to Remember**

July 15	Specially Accredited School Annual Report Due
July 29-30	State Board of Education Meeting (Ft. Dodge, Iowa)
August 1	Foster Care Claim
August 1	Progress Report Toward Reorganization Due
August 1	Special Education District Court Placed Claim Due
August 1	Special Education Foster Care Claim Due
August 1	Special Education High Cost Fund Claim Due

August 1	Special Education Provided to Nonpublic Schools Due
August 1	Juvenile Home Claim
August 14	School Budget Review Committee (SBRC) Hearing Request
August 24	School Budget Review Committee (SBRCE Exhibits Due)
September 1	Open enrollment – last day to file timely open enrollment for kindergarten student

**Click [HERE](#) for a complete  
Iowa Department of Education Calendar**

*SCHOOL LEADER UPDATE is produced monthly by the Iowa Department of Education for school leaders of Iowa. Comments and submissions should be sent to Elaine Watkins-Miller at [elaine.watkins-miller@iowa.gov](mailto:elaine.watkins-miller@iowa.gov) or 515-281-5295.*

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*If you have questions or grievances related to compliance with this policy by the Iowa Department of Education, please contact the legal counsel for the Iowa Department of Education, Grimes State Office Building, Des Moines, IA 50319-0146, telephone number 515/281-5295; or the Director of the Office for Civil Rights, U.S. Department of Education, Citigroup Center, 500 W. Madison Street, Suite 1475, Chicago, IL 60661, telephone number 312/730-1560, fax 312/730-1576, e-mail: [OCR.Chicago@ed.gov](mailto:OCR.Chicago@ed.gov)*



# STATE OF IOWA

CHESTER J. CULVER, GOVERNOR  
PATTY JUDGE, LT. GOVERNOR

DEPARTMENT OF EDUCATION  
JUDY A. JEFFREY, DIRECTOR

Date: July 1, 2009

To: Superintendents  
School Board Members  
Principals  
Teachers

From: Judy Jeffrey, Director

Subject: 2009 Legislative Changes

From the start of the 2009 legislative session, legislators were pressured to balance the state budget during a historic economic downturn. Education remained a priority of the state, but finding the funding was a difficult task. In the end, state aid to school districts was nearly fully funded by the federal infusion of more than \$250 million dollars from the American Recovery (ARRA) and Reinvestment Act moneys.

Unlike past sessions, the number of policy changes to education was significantly less in 2009. Below is a brief synopsis of the legislation related to education that requires local adjustments to your district's policy and procedures. Please contact your Department of Education consultant with any questions or concerns.

## 2009 Policy Changes

### [SF 217](#): Categorical Allowable Growth

Senate File 217 establishes a two percent allowable growth in Fiscal Year (FY) 2011 for categorical funding for teacher salary supplements, professional development and early intervention / class size funding. *Section 257.8.*

### [SF 218](#): School Aid Allowable Growth

Senate File 218 establishes a two percent allowable growth for the school aid formula in FY 2011. *Section 257.8.*

### [SF 470](#): Education Appropriations

Senate File 470 requires that revenues received by a school district for the weighted enrollment of a home school assistance program must be expended for that program.

In addition, the legislation restricts the definition of a beginning teacher to exclude a teacher whose employment with a school district or area education agency is probationary unless the teacher is serving under an initial or teacher intern license issued by the board of educational examiners (BOEE). A career teacher is expanded to include any teacher who holds a statement of professional recognition issued by the BOEE and board-licensed athletic trainers. *Sections 257.6, 272.2 and 284.2.*

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[www.iowa.gov/educate](http://www.iowa.gov/educate)

*Helping Communities Meet the Learning Needs of All Their Children and Adults*

#### [HF 820](#): Stimulus Funds

House File 820 appropriates the American Recovery and Reinvestment Act moneys to school districts and community colleges. Requires, beginning in FY 12, that the cash reserve levy for a school budget year cannot exceed 20 percent of the general fund expenditures.

ARRA stabilization funding includes:

**State Foundation Aid to School Districts** (separate check distributed concurrently with state aid)

- \$40 million in FY 09
- \$202.5 million in FY 10

**Professional Development for Implementation of Iowa Core Curriculum** (separate allocation)

- \$2 million in FY 10

**Instructional Support State Aid to School Districts** (separate check distributed concurrently with state aid)

- \$13.1 million in FY10

**Community College State Aid** (distributed concurrently with general aid)

- \$25.6 million in FY10

#### [HF 687](#): Performance Report Mandate Removed

House File 687 removes the requirement that parents sign the diagnostic assessment results provided under the Early Intervention Program. In addition, school districts will no longer be required to document in the student's record that the parent did not sign or return the assessment results. A district must continue, at a minimum, to biannually inform parents of diagnostic assessments and any intended action to improve reading skills of a child in need of intervention.

In addition, the posting of the school district's financial report is changed to January 1 of each school year. *Sections 256D.1 and 279.63.*

#### [HF 214](#): Interstate Compact on Education for Military Children

House File 214 creates a council to provide advice and recommendations on Iowa's compliance with the interstate compact on educational opportunity for military children. This compact is designed to remove barriers to educational success imposed on children of military families due to frequent moves and deployment of their parents. *Section 256G.2.*

#### [HF 243](#): Gender Balance

House File 243 requires all appointive boards, commissions, committees and councils of a political subdivision to be gender balanced beginning January 1, 2012. There is a good faith exception if after three months to appoint a qualified person to fill a vacancy the political subdivision is unable to make a compliant appointment. *Section 69.16A.*



#### [HF 705](#): Building Code, Safe Rooms and Storm Shelters

House File 705 requires the state building code commissioner to adopt rules specifying standards and requirements for design and construction of safe rooms and storm shelters. The statute does not require a safe room or storm shelter, but if one is included in any building construction project which reaches the design development phase on or after January 1, 2011, compliance with the standards is required. *Section 103A.8C.*

#### [HF 314](#): Lead Hazard in Child-occupied Housing

House File 314 requires that renovation of a child-occupied facility must use a trained and certified lead-safe renovator. Child-occupied facility is any portion of a building constructed prior to 1978 and includes a building visited on a regular basis (at least two days a week for three hours) by a child less than six years of age. This includes a child care center, preschool or kindergarten classroom and may include restrooms, cafeterias and exterior walls and adjoining spaces. Rules established by the Iowa Department of Public Health shall include notification to parents or guardians of children attending a child-occupied facility. Violation is subject to a civil penalty not to exceed \$5000 for each offense. *Sections 135.105A and 135.105C.*

## Appropriations

		<b>FY 10</b>
<b>Programs</b>	<b>FY 09 Revised</b>	<b>Appropriations</b>
Administration	\$ 8,625,560	\$ 7,906,880
Vocational Ed Salaries & Support	625,091	582,755
Voc Ed Secondary	2,892,850	2,696,921
School Food Service	2,472,038	2,266,069
State Support for Special Ed Birth to Three	1,695,579	1,554,304
Voluntary Access to Quality Preschool	14,769,449	11,538,863
Nonpublic Textbook	682,500	625,634
Administrator Mentoring	246,250	225,733
Model Core Curriculum	2,159,466	1,979,540
Student Achievement/Teacher Quality	245,193,706	7,614,750
Backfill to Teacher Quality	559,000	0
Community College-General Aid	180,316,478	158,678,501
Community College Salaries	1,477,500	916,680
Senior Year Plus	1,871,500	0
Child Development	12,417,103	11,493,891
Instructional Support	14,211,847	ARRA
Nonpublic Transportation	8,475,643	7,845,479
Class Size-Early Intervention	29,250,000	0
Program for Ed. Excellence	54,637,017	0
School Foundation Aid	2,151,063,016	2,384,953,295
ARRA: School Foundation Aid	40,000,000	202,546,705
ARRA: Teacher Professional Development	0	2,000,000
ARRA: Instructional Support	0	13,103,950
ARRA: Community Colleges	0	25,600,000